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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MERGED REISSUE AND REEXAMINATION PROCEEDINGS

Attorney Docket No.: 1915.17US03  
Reissue Application No.: 10/805,686  
Confirmation No.: 8616  
Filed: 19 March 2004

Attorney Docket No.: 1915.17US05  
Reexamination Control No.: 90/007,487  
Confirmation No.: 5214  
Filed: 29 March 2005

Examiner: Lissi M. Marquis  
Group Art Unit: 2800  
In re the application of: Richard J. Morris  
For: ROOF BATTEN

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CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP  
AND STATEMENT UNDER 37 C.F.R. § 3.73(b)

Mail Stop REISSUE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby declare that:

1. I am authorized to act on behalf of the Assignee, Diversi-Plast Products, Inc., a corporation organized and existing under the laws of the State of Minnesota, and having its principal offices at 7425 Laurel Avenue, Golden Valley, Minnesota 55426.
2. The title of my position with the Assignee is stated below.
3. The originally listed inventor of the subject matter claimed by U.S. Patent No. 6,357,193 is Richard J. Morris, a Citizen of the United States residing at 15987 Island View Road, Prior Lake, Minnesota 55372.

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4. The entire right, title, and interest to U.S. Patent No. 6,357,193 is vested in the assignee as documented in an Assignment by the currently named inventor, Richard J. Morris and recorded by the Assignment Division of the U.S. Patent & Trademark Office at Reel 010637, Frame 0522, with a copy of said assignment attached hereto, and an Assignment by the added inventor, Lars J. Walberg, with a copy of said assignment attached hereto.
5. I believe Richard J. Morris and Lars J. Walberg to be joint inventors of the subject matter claimed in U.S. Patent No. 6,357,193, entitled ROOF BATTEN.
6. U.S. Patent No. 6,357,193 was filed as U.S. Patent Application Number 09/465,099 on December 16, 1999.
7. The specification of the above-identified Reissue Application was filed on March 19, 2004 as reissue Application Number 10/805,686 and was amended by a preliminary amendment filed therewith. Reexamination was ordered for U.S. Patent No. 6,357,193 on June 2, 2005 and is assigned Control Number 90/007,487. The Reissue and Reexamination proceedings were merged by the Office in the Decision, *Sua Sponte*, To Merge Reissue And Reexamination Proceedings of July 19, 2005.
8. I have reviewed and understand the contents of the above-identified specification, including the claims as amended by the preliminary amendment.

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9. I acknowledge the duty to disclose information material to patentability as defined in 37 C.F.R. § 1.56.

10. I believe U.S. Patent No. 6,357,193 to be wholly or partly defective by reason of originally omitting inventor Lars J. Walberg from said patent. Lars J. Walberg, of 1388 Mesa Drive, P.O. Box 1897, Eagle, Colorado, 81631-1897, is an inventor with Richard J. Morris and should be added as an inventor to U.S. Patent No. 6,357,193. Accordingly, I hereby consent to the change in inventorship from Richard J. Morris to Richard J. Morris and Lars J. Walberg.

11. All errors corrected in this reissue application and merged proceeding arose without any deceptive intention on the part of the applicants.

12. I hereby appoint the practitioners associated with Customer Number 24113 to prosecute this application and merged proceeding and to transact all business in the Patent and Trademark Office connected therewith:

Address all telephone calls to: Wm. Larry Alexander at (612) 349-5757.

Address all correspondence to: Customer No. 24113  
Wm. Larry Alexander  
Patterson, Thuent, Skaar & Christensen, P.A.  
4800 IDS Center, 80 South 8th Street  
Minneapolis, Minnesota 55402-2100

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13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 11-15-05

DIVERSI-PLAST PRODUCTS, INC.

By: Richard A. Seidenstricker

Richard Seidenstricker  
Executive Vice President, Chief Operating Officer

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 1 571 273 8300 on the date shown below.

15 November 2005  
Date

Wm. Larry Alexander  
Wm. Larry Alexander

Attorney Docket No. 1915.17US05

ASSIGNMENT

WHEREAS, I, Lars J. Walberg, of 1388 Mesa Drive, P.O. Box 1897, Eagle, Colorado, 81631-1897, have invented certain new and useful improvements in ROOF BATTEN, for which an application for Letters Patent of the United States has been made, and which may be identified in the United States Patent Office by Patent No. 6,357,193, issued March 19, 2002 and currently in a merged reissue and reexamination proceeding as Reissue Application No. 10/805,686 and as Reexamination Control No. 90/007,487.

WHEREAS, Diversi-Plast Products, Inc. ("Assignee"), a business entity organized and existing under the laws of the State of Minnesota, and having its principal offices at 7425 Laurel Avenue, Golden Valley, Minnesota 55426, is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by said Assignee, the receipt of which is hereby acknowledged, I have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Assignee, its successors and assigns, my entire right, title and interest in and to said invention, said provisional/utility application, all applications claiming priority to said provisional/utility application including all divisions, continuations or renewals thereof, and the Letters Patent, both foreign and domestic, that may or shall issue, therefrom including all reissues or extensions of such patents including all of my rights under the International Convention, and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above mentioned Assignee in accordance herewith. Said assignment comprises the right to enforce patent rights under the Patent as fully and entirely as the same would have been held and enjoyed by the Assignor if this assignment had not been made; together with all claims by Assignor for damages by reason of past infringement or for provisional rights and including the right to sue for, and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns, and other legal representatives.

I hereby authorize the above-mentioned Assignee, its successors and assigns, or anyone it may properly designate, to insert in this instrument the date of execution and/or filing date and application number of said application when ascertained.

I further authorize said Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of the International Convention.

Upon said consideration I do hereby covenant and agree with the said Assignee, its successors and assigns, that I will not execute in writing or do any act whatsoever conflicting with these presents, and that I or my executors or administrators will at any time upon request, without further or additional consideration, but at the expense of the said Assignee, its successors

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and assigns, execute such additional writings and do such additional acts as said Assignee, its successors and assigns, may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, reissued or extended Letters Patent of the United States, or of any and all foreign countries on said invention, and in enforcing any rights occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

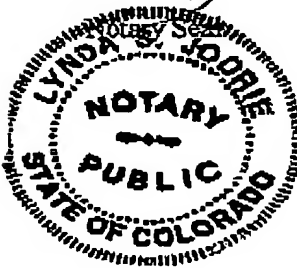
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal as dated below.

Date: 11-15-2005

  
Lars J. Walberg

Subscribed to and sworn to before  
me this 15<sup>TH</sup> day of NOVEMBER, 2005.

  
Notary Public



My Commission Expires July 12, 2009